

REMARKS

Applicants appreciate the detailed examination evidenced by the final Office Action mailed August 9, 2006 ("Office Action"). In light of the new rejections of Claims 8-12, Applicants have amended independent Claim 8 to include recitations from Claim 9 that are similar to recitations found in independent Claims 1, 13, 18, 20 and 25, *i.e.*, "a datagram from node of the backbone network including an assigned port number and/or a network address *in a destination field of a header of the datagram.*" Applicants have canceled Claim 9. Applicants submit that Claims 1, 2-8, 10-13, 15-20 and 22-26 are patentable for least the reasons discussed below.

The claim objection

The Office Action objects to Claim 8, asserting that "configured to" at line 6 thereof should be deleted. Office Action, p. 2. Applicants respectfully traverse this objection, as the use of "configured to" in Claim 8 is appropriate. In particular, Claim 8 recites "... a mobile data communications interface coupled to the radio communications circuit and configured to connect to a node of a backbone network of the wireless mobile data communications system ...". For example, FIG. 2 shows a base station 220 including a mobile data communications interface 222 that is configured to connect to a network 215, *i.e.*, the interface 222 is structured or "configured" to connect to the network 215. Applicants submit that there is no error in this phrasing, and respectfully request that this objection be withdrawn.

Claims 1, 2-8, 10-13, 15-20 and 22-26 are patentable

Independent Claims 1, 8, 13, 18, 20 and 25 stand rejected under 35 U.S.C. §102 as being allegedly anticipated by U.S. Patent No. 5,983,090 to Aoki ("Aoki"). In rejecting these claims, the Office Action states that Aoki discloses:

... communicating a datagram including the assigned port number and/or Internet address in a destination field of a header of the datagram from a controller of the wireless mobile data communications system to the wireless base station via a backbone network of the wireless mobile data communications system (figure 1 shows service provider assigned IP1 address to BS via public network, abstract shows the base station changes the destination address of the data sent by the service provider from (sic) "IP1" for the base stations to "IP2" for the mobile stations for subsequent transfer to the mobile station); and responsive to receipt of the datagram at the wireless base station, configuring the wireless base station to accept datagrams

addressed to the assigned port number/Internet address (figure 10 shows step of receiving data using IP1 address, also see abstract.)

Office Action, pp. 2 and 3. Respectfully, while Aoki does show assigning an IP address IP1 to a base station, Aoki does not disclose that "the assigned port number and/or internet address" is "*in a destination field of a header* of the datagram" as recited in Claim 1, or related recitations from independent Claims 8, 13, 18, 20 and 25.

In fact, Aoki is silent as to the specific manner in which the IP address IP1 is communicated. In particular, with reference to the cited FIG. 10, Aoki merely states:

Upon receipt of an acknowledge from the service provider SP for that request, the base station BS2 recognizes the IP address "IP1" sent together with the acknowledge as its own address.

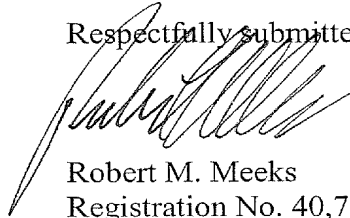
Aoki, column 8, lines 2-4. This provides no specific indication as to *where* in a datagram, e.g., in a header, message body, etc., the address IP1 is provided. For example, Aoki fails to disclose that the address IP1 is *in a destination field of a header* of the acknowledge; as shown above, Aoki merely vaguely indicates that it is "sent together with the acknowledge." Accordingly, Aoki fails to disclose or suggest at least these recitations of independent Claim 1 and corresponding recitations of independent Claims 8, 13, 18, 20 and 25, and, for at least these reasons, Applicants submit that independent Claims 1, 8, 13, 18, 20 and 25 are patentable. Applicants further submit that dependent Claims 2-7, 10-12, 15-17, 19, 22-24 and 26 are patentable at least by virtue of the patentability of the respective ones of independent Claims 1, 8, 13, 18, 20 and 25 from which they depend.

Conclusion

As all of the claims are now in condition for allowance for at least the reasons discussed above, Applicants respectfully request allowance of the claims and passing of the application to issue in due course. Applicants urge the Examiner to contact Applicants' undersigned representative at (919) 854-1400 to resolve any remaining formal issues.

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Filed: January 15, 2002
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Respectfully submitted,

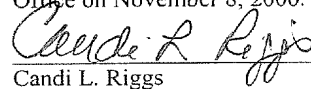


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I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on November 8, 2006.



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